

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ANTHONY SIDES,	:	CIVIL ACTION NO. 1:06-CV-2370
Plaintiff	:	
	:	(Judge Conner)
v.	:	
	:	
RELIGIOUS ACCOMMODATION	:	
COMMITTEE, et al.,	:	
Defendants	:	

ORDER

AND NOW, this 24th day of May, 2007, upon consideration of the report of the magistrate judge (Doc. 37), recommending that plaintiff's emergency motion for a preliminary injunction or temporary restraining order be granted in part, and, following an independent review of the record, it appearing that plaintiff has established his entitlement to a preliminary injunction prohibiting defendants from destroying his religious and legal materials, see BP Chems., Ltd. v. Formosa Chem. & Fibre Corp., 229 F.3d 254, 263 (3d Cir. 2000) (setting forth the elements for issuance of a preliminary injunction), and the court finding that requiring plaintiff to post a surety bond would impose a significant hardship that would outweigh any risk of financial harm to defendants, see Temple Univ. v. White, 941 F.2d 201, 219 (3d Cir. 1991) (permitting courts to waive the surety bond requirement of Rule 65(c) when the "equities of potential hardships to the parties" weighed against the need for a bond); see also FED. R. CIV. P. 65(c), it is hereby ORDERED that:

1. The emergency motion for a preliminary injunction or temporary restraining order (Doc. 33) is GRANTED in part as follows:
 - a. Defendants are hereby prohibited from destroying the religious and legal materials confiscated from plaintiff until the court has issued a final ruling on plaintiff's emergency motion (Doc. 33).
 - b. The remaining issues raised by plaintiff's emergency motion (Doc. 33) shall be resolved by future order of court.
2. The above-captioned case is REMANDED to the magistrate judge for further proceedings consistent with this order.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge